

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

No. 2:18-CV-00626-WJ-KRS

BERT MADERA; MONTIE CAROL
MADERA; and PITCHFORK CATTLE
COMPANY, LLC,

Plaintiffs,

v.

R. BRIAN COKER; SCOTT W. JOHNSON;
OZARK ROYALTY CO., LLC; and
CHIRON FINANCIAL LLC,

Defendants.

STIPULATION OF DISMISSAL

The parties hereby stipulate to the dismissal of this cause pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. This dismissal is with prejudice except to the extent that Plaintiffs and Defendants R. Brian Coker and Ozark Royalty Co., LLC reserve any claims they may have related to the case pending in New Mexico's Fifth Judicial District Court, Lea County, and captioned *Foundation Minerals, LLC v. Madera, et al.*, Case No. D-506-cv-2017-01744, or related to the facts and circumstances surrounding that litigation, or to the contract at issue in that litigation, or to the mineral interests at issue in that litigation. This stipulated dismissal does not impact or impair any such claims, as further described in the settlement agreement between Plaintiffs and Defendants R. Brian Coker and Ozark Realty Co., LLC.

Respectfully submitted,

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By: /s/ Charles R. Peifer

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